

Mr. SMITH. I am sorry to differ with the gentleman from Allegany, (Mr. WEBER) in a matter of this kind: There has been a wide latitude of debate. Much poison has been sent out, and I propose that the antidote should go with it. I, therefore, move that the resolution be laid upon the table.

Mr. STEPHENSON asked the yeas and nays.

Mr. STEWART, of Caroline. I desire to say one word.

The PRESIDENT. The motion to lay on the table is not debateable.

Mr. SMITH. I withdraw the motion, to enable the gentleman from Caroline, (Mr. STEWART,) to make his remarks.

Mr. STEWART. I call the attention of gentlemen to the rules by which we are supposed to be governed. It is known, I believe, to the Convention, that I have been as much in favor of expediting its business as any gentleman here, and that I have occupied the attention of the Committee and of the Convention as little as any gentleman. I desire now to read the 20th, 23rd, and 27th rules. (Mr. S. read them.) Now, it seems to me that the adoption of this resolution will have the effect of changing or rescinding one of these rules, and if that be so, then one day's notice will be required.

Mr. BRENT, of Baltimore city. How change a rule?

Mr. STEWART. Because it stops debate.

Mr. BROWN. Suspends debate.

Mr. STEWART. Well, suspends debate.

Mr. BRENT suggested that the difficulty to which the gentlemen referred could only arise in case of collision between two gentlemen as to the right to the floor.

Mr. STEWART, in illustration of his position, contended that the adoption of this rule would preclude him from expressing his views. We propose (he said) to adopt a rule to govern men of intelligence and wisdom, which would be applicable enough to a set of school boys. Let members judge for themselves how often they shall speak. I look about me, and I see men of experience and ability, (for example, the chairman of the committee of the whole,) who have not had an opportunity to express their sentiments. I should like to speak mine. But this resolution precludes me, and will preclude others. I believe, in point of fact, that not more than a dozen members have been heard on this subject of the elective franchise. Yet, forsooth, the balance of the Convention must be stopped and not permitted to say a word. The importance of the objects for which we are here, cannot be over estimated. If the report of the committee on the elective franchise is adopted, the effect will be that we shall have judges of elections sitting as judges upon the intellects of men—we shall have them deciding whether a man is mentally capable of voting or not. Such a provision is to be incorporated into the organic law, and that, too, without debate.

Mr. CHAMBERS, of Kent. The committee never dreamed of any thing of the kind. It was intended expressly to provide that the votes of no

persons should be excluded, whether non-compos mentis or lunatic, unless under guardianship.

The President (interposing.) The merits of the bill are not under consideration. The gentleman must confine his remarks to the resolution before the Convention.

Mr. STEWART. I beg to differ with the honorable gentleman from Kent (Mr. CHAMBERS.)

Mr. CHAMBERS. I do not mean to say that that is the grammatical meaning. That is another affair. But I say that the committee never designed any such thing as the gentleman indicates.

Mr. STEWART. If the report of the Committee is not put in grammatical language, and is to be altered, I think it should be open to discussion. To sustain my view, I will read the section. (Mr. S. read the third section of the report.) I say that, as the section now reads, it would leave it to the judges of election, to say whether a man is *non compos mentis*, or not.

If this resolution is to be adopted, I hope it will be made applicable to the first section of the report only. I renew the motion to lay the resolution on the table.

And the question having been taken, the resolution was laid upon the table.

#### THE PREVIOUS QUESTION.

Mr. RANDALL. According to the twenty-seventh rule, it will be seen that no vote of this body can be rescinded or changed, without one day's notice previously given. I rise to give notice, that I shall propose a change of the seventeenth rule, which declares that the previous question shall be always in order, if seconded by a majority, &c., &c., and that the main question shall be on the adoption of the proposition under consideration, and that, in cases where there shall be pending amendments, the question shall be first taken on such amendments, in their order and without further debate or amendment.

Now, I understand by the construction given to this rule, and under the Parliamentary law, that the effect of the previous question, if sustained, is not only to cut off all debate and amendments on the question then before the Convention, but to cut off all debate and amendments on the whole subject matter. (Mr. R. gave a case in illustration.) That is to say, we have to vote upon the whole bill and amendments, at one time. I suggest to the consideration of gentlemen, that every desirable object will be effected, by confining the operation of previous questions to the actual question under consideration; and to nothing else. Many friends more experienced than myself in such matters, have intimated their opinion, that such a change would have a happy effect; and I propose so to amend the motion as to give it that operation.

The notice was entered on the Journal.

Mr. SOLLERS gave notice that he would tomorrow, move to amend the twenty-third rule, by striking out these words, "except that part of the twentieth rule which restricts members from speaking more than twice upon the same